

**EIGHTY-THIRD GENERAL ASSEMBLY
2010 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

MARCH 25, 2010

HOUSE FILE 2193

H-8603

1 Amend House File 2193, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 3, by striking lines 34 and 35 and
4 inserting <association of counties. The council
5 shall also include at least two at-large members who
6 are volunteer emergency medical care providers and a
7 representative of a private service program.>
8 2. By striking page 5, line 34, through page 8,
9 line 14, and inserting:
10 <3. The department may deny an application for
11 authorization, or may place on probation, suspend, or
12 revoke the authorization of, or otherwise discipline
13 a service program with an existing authorization
14 if the department finds reason to believe that the
15 service program has not been or will not be operated
16 in compliance with this subchapter and the rules
17 adopted pursuant to this subchapter, or that there
18 is insufficient assurance of adequate protection
19 for the public. The authorization denial or period
20 of probation, suspension, or revocation, or other
21 disciplinary action shall be effected and may be
22 appealed as provided by section 17A.12.>
23 3. Page 12, by striking lines 3 through 14 and
24 inserting:
25 <3. The department may deny an application for
26 authorization, or may place on probation, suspend or
27 revoke the authorization of, or otherwise discipline
28 a training program with an existing authorization if
29 the department finds reason to believe the program has
30 not been or will not be operated in compliance with
31 this subchapter and the rules adopted pursuant to this
32 subchapter, or that there is insufficient assurance of
33 adequate protection for the public. The authorization
34 denial, period of probation, suspension, or revocation,
35 or other disciplinary action shall be effected and may
36 be appealed as provided by section 17A.12.>
37 4. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8603 FILED MARCH 24, 2010

HOUSE FILE 2459

H-8591

1 Amend the Senate amendment, H-8464, to House File
2 2459, as passed by the House, as follows:

3 1. Page 1, line 48, after <watershed.> by
4 inserting <All political subdivisions within a
5 watershed must be notified within thirty days prior
6 to organization of any watershed management authority
7 within the watershed, and provided the opportunity to
8 participate.>

9 2. Page 2, lines 1 and 2, by striking <county or
10 a soil and water conservation district> and inserting
11 <political subdivision>

12 3. Page 2, by striking lines 32 through 42 and
13 inserting:

14 <2. A board of directors shall consist of one
15 representative of each participating political
16 subdivision. This subsection shall not apply if a>

17 4. Page 3, line 32, by striking <shall> and
18 inserting <may>

19 5. Page 3, lines 32 and 33, by striking <and
20 cooperate> and inserting <its activities>

21 6. By renumbering as necessary.

By SANDS of Louisa

D. OLSON of Boone

H-8591 FILED MARCH 24, 2010

HOUSE FILE 2525

H-8573

1 Amend the Senate amendment, H-8539, to House File
2 2525, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 2, line 40, by striking <twenty-five> and
5 inserting <fifty>
6 2. By striking page 2, line 43, through page 3,
7 line 1.
8 3. Page 3, line 2, by striking <(D)> and inserting
9 <(B)>
10 4. Page 3, line 2, by striking <twenty-five> and
11 inserting <fifty>
12 5. Page 3, line 4, after <projects> by inserting
13 <including the deconstruction, renovation, or removal
14 of derelict buildings. Eligible communities are
15 limited to cities of five thousand or fewer in
16 population. Eligible costs shall include but are not
17 limited to asbestos abatement and removal, the recovery
18 and processing of recyclable or reusable material from
19 derelict buildings and reimbursement for purchased
20 recycled content materials used in the renovation
21 of buildings. Special consideration may be given to
22 communities that hire the unemployed to deconstruct
23 structures, clean up the properties and, if there is no
24 immediate buyer for the properties, turn the properties
25 into green spaces. Any business entity or individual
26 engaged in the removal or abatement of asbestos must
27 have obtained a valid license or permit as required in
28 chapter 88B>
29 6. By renumbering as necessary.

By SWAIM of Davis

H-8573 FILED MARCH 24, 2010

HOUSE FILE 2525

H-8584

1 Amend the Senate amendment, H-8539, to House File
2 2525, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 2, line 1, after <266.39> by inserting
5 <, in cooperation with the Iowa cooperative extension
6 service in agriculture and home economics as provided
7 in chapter 266, at Iowa state university of science and
8 technology>
9 2. Page 2, line 7, after <agriculture> by inserting
10 <, in cooperation with the Iowa cooperative extension
11 service in agriculture and home economics,>
12 3. By renumbering as necessary.

By SWEENEY of Hardin

H-8584 FILED MARCH 24, 2010

H-8568

1 Amend House File 2526, as amended,
2 passed, and reprinted by the House, as follows:
3 1. Page 4, line 14, by striking <(1)>
4 2. Page 4, after line 16 by inserting:
5 <(1) Of the funds allocated in this lettered
6 paragraph, \$756,613 shall be used for the public
7 purpose of a grant program to provide substance abuse
8 prevention programming for children.
9 (a) Of the funds allocated in this subparagraph,
10 \$355,000 shall be utilized for the public purpose
11 of providing grant funding for organizations that
12 provide programming for children by utilizing mentors.
13 Programs approved for such grants shall be certified
14 or will be certified within six months of receiving
15 the grant award by the Iowa commission on volunteer
16 services as utilizing the standards for effective
17 practice for mentoring programs.
18 (b) Of the funds allocated in this subparagraph,
19 \$360,000 shall be utilized for the public purpose
20 of providing grant funding for organizations that
21 provide programming that includes youth development
22 and leadership. The programs shall also be recognized
23 as being programs that are scientifically based with
24 evidence of their effectiveness in reducing substance
25 abuse in children.
26 (c) The Iowa department of public health shall
27 utilize a request for proposals process to implement
28 the grant program.
29 (d) All grant recipients shall participate in a
30 program evaluation as a requirement for receiving grant
31 funds.
32 (e) Of the funds allocated for the grant program,
33 \$41,613 shall be used to administer substance abuse
34 prevention grants and for program evaluations.>
35 3. Page 7, line 6, by striking <3,522,313> and
36 inserting <3,572,313>
37 4. Page 7, line 19, by striking <\$489,868> and
38 inserting <\$539,868>
39 5. Page 8, by striking lines 3 and 4 and inserting
40 <disorders.>
41 6. Page 13, line 22, by striking <3,212,987> and
42 inserting <3,287,987>
43 7. Page 13, line 29, by striking <\$209,229> and
44 inserting <\$234,229>
45 8. Page 14, after line 4 by inserting:
46 <d. Of the funds appropriated in this subsection,
47 \$50,000 shall be used for education, testing, training,
48 and other costs to conform the requirements for
49 certification of emergency medical care providers with
50 national standards.>

1 9. Page 19, line 9, by striking <115-5> and
2 inserting <111-5>
3 10. Page 19, by striking lines 15 through 17 and
4 inserting <in the following priority order: the family
5 investment program for the fiscal year and for state
6 child care assistance program>
7 11. By striking page 19, line 24, through page 20,
8 line 11.
9 12. Page 20, line 12, by striking <c.> and
10 inserting <b.>
11 13. Page 20, line 16, by striking <d.> and
12 inserting <c. For the purposes of this lettered
13 paragraph, "employment and training-related programs"
14 means summer youth programs and other employment and
15 training-related programs, as allowed by federal law,
16 that are administered by the department of workforce
17 development.>
18 14. Page 20, line 17, by striking <summer
19 youth programs> and inserting <employment and
20 training-related programs>
21 15. Page 20, lines 22 and 23, by striking <summer
22 youth employment programs> and inserting <employment
23 and training-related programs>
24 16. Page 20, line 32, by striking <115-5> and
25 inserting <111-5>
26 17. Page 20, by striking lines 33 and 34 and
27 inserting <collaboration shall be for the purpose of
28 securing emergency contingency funds to subsidize the
29 administrative costs and wages>
30 18. Page 20, line 35, through page 21, line 1,
31 by striking <summer youth employment program> and
32 inserting <employment and training-related programs>
33 19. Page 21, line 2, after <wages> by inserting <,
34 administrative costs, and other costs of the employment
35 and training-related programs>
36 20. Page 21, line 4, by striking <115-5> and
37 inserting <111-5>
38 21. Page 21, by striking lines 10 through 12 and
39 inserting <workforce development to be used for the
40 purpose of covering administrative costs and the costs
41 of wages and other costs relating to the employment and
42 training-related programs administered by the>
43 22. Page 21, by striking line 19 and inserting <of
44 administrative costs and the costs of wages and other
45 federally allowed costs relating to the employment
46 and training-related programs that are eligible for
47 reimbursement under the terms>
48 23. Page 21, line 21, by striking <115-5> and
49 inserting <111-5>
50 24. Page 21, after line 32 by inserting:

1 <(5) The department of workforce development
2 regional advisory boards shall make every effort to
3 implement a competitive bidding process seeking one
4 or more qualified agencies or other organizations to
5 administer summer youth employment programs for their
6 areas.>

7 25. Page 25, after line 34 by inserting:

8 <4. Of the funds appropriated in this section,
9 \$200,000 shall be used for continuation of a grant to
10 an Iowa-based nonprofit organization with a history
11 of providing tax preparation assistance to low-income
12 Iowans in order to expand the usage of the earned
13 income tax credit. The purpose of the grant is to
14 supply this assistance to underserved areas of the
15 state.>

16 26. Page 27, line 25, by striking <418,921,344> and
17 inserting <412,546,344>

18 27. Page 28, line 33, by striking <diagnosis> and
19 inserting <diagnostic>

20 28. Page 31, line 28, after <inpatient> by
21 inserting <and outpatient>

22 29. Page 33, after line 35 by inserting:

23 <24. a. The department of human services shall
24 amend the medical assistance waiver for the Iowa family
25 planning network to continue the current waiver with
26 the following modifications which provide for all of
27 the following:

28 (1) Coverage for women who meet all of the
29 following criteria:

30 (a) Are uninsured or have health insurance coverage
31 that does not include coverage for benefits provided
32 under the Iowa family planning network.

33 (b) Have income of up to 300 percent of the federal
34 poverty level.

35 (c) Are under 55 years of age.

36 (2) Coverage of pregnancy prevention services for
37 men who meet the income, age, and insurance coverage
38 specifications described in subparagraph (1).

39 b. Implementation of this section is contingent
40 upon approval of the medical assistance waiver for
41 the Iowa family planning network by the centers for
42 Medicare and Medicaid services of the United States
43 department of health and human services and upon
44 availability of funding as determined by the director
45 of the department of human services.

46 c. Of the funds appropriated in this section,
47 \$25,000 shall be used for administrative costs for
48 renewal and modification of the Iowa family planning
49 network waivers as provided in this subsection.>

50 30. Page 38, line 26, by striking <6,977,599> and

1 inserting <7,777,599>
2 31. Page 38, line 32, by striking <10,851,062> and
3 inserting <11,001,062>
4 32. Page 41, line 13, after <subsection 7.> by
5 inserting <An appropriate amount of the funds allocated
6 in this subsection may be used for wraparound and
7 emergency services to prevent the need for shelter care
8 services, including such services for children who have
9 an immediate need for shelter care services but are
10 ineligible due to income, status, or other requirement.
11 The funding shall be expended by providers in a manner
12 that does not impinge upon the availability of beds for
13 eligible children.>
14 33. Page 45, after line 16 by inserting:
15 <____. Of the funds appropriated in this section,
16 at least \$211,721 shall be used for the child welfare
17 training academy.>
18 34. Page 50, line 21, by striking <10,295,207> and
19 inserting <11,345,207>
20 35. Page 54, line 9, by striking <53,207,624> and
21 inserting <56,207,624>
22 36. Page 54, line 22, by striking <15,352,271> and
23 inserting <16,602,271>
24 37. Page 54, after line 29 by inserting:
25 <3. Of the funds appropriated in this section,
26 \$500,000 shall be used for implementation activities
27 necessary to conform the Medicaid and related human
28 services programs to enactment of federal health care
29 coverage reforms. The department and the general
30 assembly's legislative health care coverage commission
31 shall work collaboratively and share resources in
32 addressing changes of the state's public and private
33 health coverage systems necessitated by the federal
34 reforms.
35 4. Of the funds appropriated in this section,
36 \$150,000 shall be used to implement a program to
37 provide technical assistance, support, and consultation
38 to providers of habilitation services and home and
39 community-based waiver services for adults with
40 disabilities under the medical assistance program.
41 Notwithstanding chapter 8A, subchapter III, or
42 any other provision of law to the contrary, the
43 department shall contract with a statewide organization
44 representing providers of such services to provide the
45 program.
46 5. Of the funds appropriated in this section,
47 \$200,000 shall be used to expand the provision of
48 nationally accredited and recognized internet-based
49 training to include mental health and disability
50 services providers.>

1 38. Page 73, line 11, by striking <8,500,000> and
2 inserting <13,900,000>

3 39. Page 73, by striking line 12 and inserting:
4 <1. Of the funds appropriated in this section,
5 \$7,500,000 shall be used for>

6 40. Page 74, by striking lines 1 through 17 and
7 inserting:

8 <1. To the department of public health:

9 \$ 635,000

10 a. Of the funds appropriated in this subsection,
11 \$500,000 is allocated for addictive disorders to be
12 used for substance abuse treatment and prevention.

13 b. Of the funds appropriated in this subsection,
14 \$35,000 is allocated for chronic conditions to be used
15 as follows:

16 (1) \$20,000 shall be used for grants to individual
17 patients who have phenylketonuria (PKU) to assist with
18 the costs of necessary special foods.

19 (2) \$15,000 shall be used for child health
20 specialty clinics.

21 c. Of the funds appropriated in this subsection,
22 \$100,000 is allocated for public protection to be used
23 for the state poison control center.>

24 41. Page 76, by striking line 16 and inserting
25 <trust fund, the health care trust fund, and the
26 quality assurance trust fund, are in excess of>

27 42. Page 81, line 9, by striking <5> and inserting
28 <4>

29 43. Page 81, line 11, by striking <5> and inserting
30 <4>

31 44. Page 81, line 17, by striking <"a"> and
32 inserting <"d">

33 45. Page 82, after line 27 by inserting:

34 <CHILD WELFARE DECATEGORIZATION

35 FY 2008-2009 NONREVERSION

36 Sec. _____. 2008 Iowa Acts, chapter 1187, section 16,
37 subsection 5, is amended by adding the following new
38 unnumbered paragraph:

39 NEW UNNUMBERED PARAGRAPH Notwithstanding section
40 232.188, subsection 5, moneys from the allocations made
41 in this subsection or made from any other source for
42 the decategorization of child welfare and juvenile
43 justice funding initiative under section 232.188,
44 that are designated as carryover funding that remain
45 unencumbered or unobligated at the close of the fiscal
46 year beginning July 1, 2009, following the transfer
47 made pursuant to 2010 Iowa Acts, Senate File 2366,
48 section 19, if enacted, shall not revert but shall
49 be used until the close of the fiscal year beginning
50 July 1, 2010, as follows: the first \$1,925,000 shall

1 be used to restore up to half of the reimbursement
2 rate reduction applied to adoption, family foster
3 care, group foster care, and supervised apartment
4 living services providers to implement appropriations
5 reductions applied pursuant to executive order number
6 19 issued October 8, 2009, and the remainder shall be
7 used for the purposes of continuing the initiative in
8 the fiscal year.>

9 46. Page 88, line 35, by striking <a. (1)> and
10 inserting <a. For the purposes of this subsection,
11 "employment and training-related programs" means
12 summer youth programs and other employment and
13 training-related programs, as allowed by federal law,
14 that are administered by the department of workforce
15 development.>

16 47. Page 89, line 1, by striking <summer
17 youth programs> and inserting <employment and
18 training-related programs>

19 48. Page 89, line 7, by striking <summer youth
20 employment programs> and inserting <employment and
21 training-related programs>

22 49. Page 89, line 10, by striking <lettered
23 paragraph> and inserting <subsection>

24 50. Page 89, line 11, by striking <(2)> and
25 inserting <b.>

26 51. Page 89, by striking lines 17 through 21 and
27 inserting <collaboration shall be for the purpose of
28 securing emergency contingency funds to subsidize
29 the administrative costs and wages paid on behalf
30 of individuals participating in the employment and
31 training-related programs and administered by the
32 department of workforce development. Such costs shall
33 be eligible for>

34 52. Page 89, line 27, by striking <(3)> and
35 inserting <c.>

36 53. Page 89, by striking lines 29 through 31 and
37 inserting <workforce development for the purpose of
38 covering the administrative costs and wages paid on
39 behalf of individuals participating in the employment
40 and training-related programs administered by the>

41 54. Page 90, line 11, by striking <(4)> and
42 inserting <d.>

43 55. Page 90, after line 29 by inserting:
44 <FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT
45 FEDERAL FISCAL YEAR 2009-2010

46 Sec. ____ CHILD CARE AND DEVELOPMENT
47 APPROPRIATION. There is appropriated from the
48 fund created by section 8.41 to the department of human
49 services for the federal fiscal year beginning October
50 1, 2009, and ending September 30, 2010, the following

1 amount:

2 \$ 15,755,256

3 Funds appropriated in this section are the
4 additional funding anticipated to be received from the
5 federal government under the federal American Recovery
6 and Reinvestment Act of 2009 for the federal child care
7 and development block grant, and include the allocation
8 made from the funds for infant and toddler care quality
9 in 2009 Iowa Acts, chapter 183, section 62. The
10 department shall expend the remainder of the funds
11 appropriated in this section for the state child care
12 assistance program under section 237A.13, as provided
13 in the federal law making the funds available and in
14 conformance with chapter 17A.>

15 56. Page 90, after line 29 by inserting:

16 <FOOD ESTABLISHMENT INSPECTIONS

17 Sec. _____. FOOD ESTABLISHMENT INSPECTIONS.

18 Notwithstanding any contrary provisions of section
19 137F.3A or other applicable law, if within ninety
20 calendar days of the effective date of this division
21 of this Act a county operating pursuant to a chapter
22 28E agreement with the department of inspections and
23 appeals to enforce chapters 137C, 137D, and 137F, in a
24 multicounty area consisting of fifteen or more counties
25 elects not to renew the agreement for the multicounty
26 area, and the department has determined that the
27 quality of service provided by the county has been
28 acceptable or better, the department shall enter into
29 an agreement with the county for the county to continue
30 such enforcement activity for the food establishments,
31 home food establishments, food processing plants, and
32 hotels located within the county.>

33 57. Page 114, after line 33 by inserting:

34 <Sec. _____. 2010 Iowa Acts, Senate File 2088,
35 section 399, as enacted, is amended to read as follows:
36 SEC. 399. REPEAL. Sections 135.28, ~~135N.1, 135N.2,~~
37 ~~135N.3, 135N.4, 135N.5, 135N.6,~~ and 142C.16, Code 2009,
38 are repealed.>

39 58. By renumbering as necessary.

RECEIVED FROM THE SENATE

HOUSE FILE 2531

H-8565

1 Amend House File 2531 as follows:
2 1. Page 3, line 32, after <257.37A.> by inserting
3 <The department of management may adjust the amount
4 allocated pursuant to this subsection in order to
5 reflect any differences resulting from the budget
6 certification process.>
7 2. Page 4, by striking lines 4 through 6 and
8 inserting <section 257.16, subsection 4.>
9 3. Page 16, after line 28 by inserting:
10 <Sec. _____. Section 46.3, subsection 3, Code 2009,
11 as amended by 2010 Iowa Acts, Senate File 2343, section
12 1, if enacted, is amended to read as follows:
13 3. A No more than a simple majority of the
14 commissioners appointed shall be of the same gender.>
15 4. Page 21, after line 26 by inserting:
16 <Sec. _____. Section 476.53, subsection 2, paragraph
17 a, Code 2009, as amended by 2010 Iowa Acts, House File
18 2399, section 2, if enacted, is amended to read as
19 follows:
20 a. The general assembly's intent with regard to
21 the development of electric power generating and
22 transmission facilities, or the significant alteration
23 of an existing generating facility, as provided in
24 subsection 1, shall be implemented in a manner that is
25 cost-effective and compatible with the environmental
26 policies of the state, as expressed in Title XI.>
27 5. By renumbering as necessary.

By OLDSON of Polk

H-8565 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8570

1 Amend the amendment, H-8556, to House File 2531 as
2 follows:
3 1. Page 1, line 32, after <shall> by inserting <,
4 to the extent feasible,>

By SCHUELLER of Jackson

H-8570 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8571

1 Amend the amendment, H-8551, to House File 2531 as
2 follows:
3 1. Page 1, line 8, after <to the fund.> by
4 inserting <The fund shall not, however, consist of or
5 receive an appropriation from the net proceeds from
6 bonds issued pursuant to sections 12.87 through 12.90.>
7 2. Page 2, by striking lines 8 through 12.
8 3. Page 2, line 13, by striking <6.> and inserting
9 <5.>

By FORRISTALL of Pottawattamie

H-8571 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8574

1 Amend House File 2531 as follows:

2 1. Page 38, after line 1 by inserting:

3 <DIVISION _____

4 IDENTIFICATION OF WORKER MISCLASSIFICATION

5 Sec. _____. Section 421.17, Code 2009, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 31. If the director has reason

8 to believe, as a result of an investigation or audit,

9 that a taxpayer may have misclassified workers, then

10 to assist the department of workforce development, the

11 director is authorized to provide to the department

12 of workforce development the following confidential

13 information with respect to such a taxpayer:

14 a. Withholding and payroll tax information.

15 b. The taxpayer's identity, including taxpayer
16 identification number and date of birth.

17 c. The results or most recent status of the audit
18 or investigation.

19 Sec. _____. Section 422.20, subsection 3, paragraph
20 a, Code 2009, is amended to read as follows:

21 a. Unless otherwise expressly permitted by section

22 8A.504, section 96.11, subsection 6, section 421.17,

23 subsections 22, 23, ~~and~~ 26, and 31, sections 252B.9,

24 321.120, 421.19, 421.28, 422.72, and 452A.63, and

25 this section, a tax return, return information,

26 or investigative or audit information shall not be

27 divulged to any person or entity, other than the

28 taxpayer, the department, or internal revenue service

29 for use in a matter unrelated to tax administration.

30 Sec. _____. Section 422.72, subsection 3, paragraph

31 a, Code 2009, is amended to read as follows:

32 a. Unless otherwise expressly permitted by section

33 8A.504, section 96.11, subsection 6, section 421.17,

34 subsections 22, 23, ~~and~~ 26, and 31, sections 252B.9,

35 321.120, 421.19, 421.28, 422.20, and 452A.63, and

36 this section, a tax return, return information,

37 or investigative or audit information shall not be

38 divulged to any person or entity, other than the

39 taxpayer, the department, or internal revenue service

40 for use in a matter unrelated to tax administration.

41 Sec. _____. EFFECTIVE UPON ENACTMENT. This division

42 of this Act, being deemed of immediate importance,

43 takes effect upon enactment.>

44 2. By renumbering as necessary.

By TAYLOR of Linn

H-8574 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8575

1 Amend House File 2531 as follows:

2 1. Page 31, by striking lines 31 and 32 and
3 inserting:

4 <3. By January 15, 2011, the state board of regents
5 shall submit a report of the study to the general
6 assembly. If the report recommends that residential
7 services should not be provided on the campus of the
8 Iowa braille and sight saving school, such services
9 shall not be eliminated until requirements of section
10 270.10 have been met.>

By PETTENGILL of Benton

H-8575 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8576

1 Amend House File 2531 as follows:

2 1. Page 37, after line 14 by inserting:

3 <Sec. _____. Section 256.7, subsection 29, Code
4 Supplement 2009, is amended to read as follows:

5 29. Adopt rules establishing nutritional content
6 standards for foods and beverages sold or provided on
7 the school grounds of any school district or accredited
8 nonpublic school during the school day exclusive of the
9 food provided by any federal school food program or
10 pursuant to an agreement with any agency of the federal
11 government in accordance with the provisions of chapter
12 283A, and exclusive of foods sold for fundraising
13 purposes and foods and beverages sold at concession
14 stands. The standards shall be consistent with the
15 dietary guidelines for Americans issued by the United
16 States department of agriculture food and nutrition
17 service. Nothing in this subsection shall prohibit a
18 local school district from adopting their own standards
19 for food and beverages sold or provided on the school
20 grounds during the school day, provided such standards
21 are not more restrictive than those implemented by the
22 department.>

23 2. By renumbering as necessary.

By UPMEYER of Hancock

H-8576 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8577

1 Amend House File 2531 as follows:

2 1. By striking page 38, line 2, through page 42,
3 line 29.

4 2. Title page, lines 2 through 4, by striking <by
5 increasing the maximum allowable local hotel and motel
6 tax rates,>

7 3. By renumbering as necessary.

By REICHERT of Muscatine

H-8577 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8579

1 Amend House File 2531 as follows:
2 1. Page 37, after line 14 by inserting:
3 <Sec. _____. Section 729.6, subsection 1, paragraph
4 c, Code 2009, as amended by 2010 Iowa Acts, Senate File
5 2215, if enacted, is amended to read as follows:
6 <c. "Genetic testing" means the same as genetic
7 test as defined in 29 U.S.C. { 1191b(d)(7). "Genetic
8 testing" does not mean routine physical measurement, a
9 routine chemical, blood, or urine analysis, a biopsy,
10 an autopsy, or clinical specimen obtained solely for
11 the purpose of conducting an immediate clinical or
12 diagnostic test to detect an existing disease, illness,
13 impairment, or disorder, or a test for drugs or for
14 human immunodeficiency virus infections.>
15 2. By renumbering as necessary.

By RUNNING-MARQUARDT of Linn

H-8579 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8580

1 Amend House File 2531 as follows:
2 1. Page 37, after line 14 by inserting:
3 <Sec. _____. Section 729.6, subsection 1, Code 2009,
4 is amended by adding the following new paragraph:
5 NEW PARAGRAPH. OOb. "Genetic services" means the
6 same as defined in 29 U.S.C. { 1191b(d)(8).
7 Sec. _____. Section 729.6, subsection 1, paragraph c,
8 Code 2009, as amended by 2010 Iowa Acts, Senate File
9 2215, if enacted, is amended to read as follows:
10 c. "Genetic testing" means the same as genetic
11 test as defined in 29 U.S.C. { 1191b(d)(7). "Genetic
12 testing" does not mean routine physical measurement, a
13 routine chemical, blood, or urine analysis, a biopsy,
14 an autopsy, or clinical specimen obtained solely for
15 the purpose of conducting an immediate clinical or
16 diagnostic test to detect an existing disease, illness,
17 impairment, or disorder, or a test for drugs or for
18 human immunodeficiency virus infections.>
19 2. By renumbering as necessary.

By RUNNING-MARQUARDT of Linn

H-8580 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8581

1 Amend House File 2531 as follows:
2 1. Page 31, line 5, by striking <not held liable>
3 and inserting <receive the limitation on liability
4 contained in section 670.4, subsection 8,>

By SWAIM of Davis
JACOBY of Johnson

H-8581 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8582

1 Amend the amendment, H-8557, to House File 2531 as
2 follows:

3 1. Page 1, by striking lines 32 through 34 and
4 inserting <the general assembly.>>

By R. OLSON of Polk

H-8582 FILED MARCH 24, 2010

H-8583

1 Amend House File 2531 as follows:

2 1. Page 38, after line 1 by inserting:

3 <DIVISION _____

4 WEAPONS _____

5 Sec. _____. Section 80A.13, Code 2009, is amended to
6 read as follows:

7 80A.13 Campus weapon requirements.

8 An individual employed by a college or university,
9 or by a private security business holding a contract
10 with a college or university, who performs private
11 security duties on a college or university campus and
12 who carries a weapon while performing these duties
13 shall ~~meet all of the following requirements:~~

14 ~~1. File with the sheriff of the county in which~~
15 ~~the campus is located evidence that the individual has~~
16 ~~successfully completed an approved firearms training~~
17 ~~program under section 724.9. This requirement does not~~
18 ~~apply to armored car personnel.~~

19 ~~2. Possess a permit to carry weapons issued by the~~
20 ~~sheriff of the county in which the campus is located~~
21 ~~under sections 724.6 through 724.11. This requirement~~
22 ~~does not apply to armored car personnel.~~

23 ~~3. File~~ file with the sheriff of the county in
24 which the campus is located a sworn affidavit from
25 the employer outlining the nature of the duties to be
26 performed and justification of the need to go armed.

27 Sec. _____. Section 724.4, Code 2009, is amended to
28 read as follows:

29 724.4 Carrying weapons.

30 1. Except as otherwise provided in this section, a
31 person who goes armed with a dangerous weapon ~~concealed~~
32 ~~on or about the person, or who, within the limits of~~
33 ~~any city, goes armed with a pistol or revolver, or~~
34 ~~any loaded firearm of any kind, whether concealed~~
35 ~~or not, or who knowingly carries or transports in a~~
36 ~~vehicle a pistol or revolver, commits an aggravated~~
37 ~~misdemeanor with the intent to commit a crime of~~
38 violence commits a class "D" felony. This subsection
39 applies regardless of whether the dangerous weapon
40 is concealed or not concealed on or about the person
41 and regardless of whether the dangerous weapon is
42 transported in a vehicle. For purposes of this
43 subsection, "crime of violence" means a felony which
44 has, as an element of the offense, the use of physical
45 force by one person against another person.

46 2. A person who goes armed with a knife concealed
47 on or about the person, if the person uses the knife
48 in the commission of a crime, commits an aggravated
49 misdemeanor.

50 3. A person who goes armed with a knife concealed

H-8583

1 on or about the person, if the person does not use the
2 knife in the commission of a crime:

3 a. If the knife has a blade exceeding eight inches
4 in length, commits an aggravated misdemeanor.

5 b. If the knife has a blade exceeding five inches
6 but not exceeding eight inches in length, commits a
7 serious misdemeanor.

8 4. Subsections 1 through 3 do not apply to any of
9 the following:

10 a. A person who for any lawful purpose goes armed
11 with a dangerous weapon in the person's own dwelling
12 or place of business, or on land owned or possessed by
13 the person.

14 b. A peace officer, when the officer's duties
15 require the person to carry such weapons.

16 ~~e. A member of the armed forces of the United~~
17 ~~States or of the national guard or person in the~~
18 ~~service of the United States, when the weapons are~~
19 ~~carried in connection with the person's duties as such.~~

20 ~~d. A correctional officer, when the officer's~~
21 ~~duties require, serving under the authority of the Iowa~~
22 ~~department of corrections.~~

23 ~~e. c.~~ A person who for any lawful purpose carries
24 an unloaded pistol, revolver, or other dangerous weapon
25 inside a closed and fastened container or securely
26 wrapped package which is too large to be concealed on
27 the person.

28 ~~f. A person who for any lawful purpose carries or~~
29 ~~transports an unloaded pistol or revolver in a vehicle~~
30 ~~inside a closed and fastened container or securely~~
31 ~~wrapped package which is too large to be concealed on~~
32 ~~the person or inside a cargo or luggage compartment~~
33 ~~where the pistol or revolver will not be readily~~
34 ~~accessible to any person riding in the vehicle or~~
35 ~~common carrier.~~

36 ~~g. A person while the person is lawfully engaged in~~
37 ~~target practice on a range designed for that purpose or~~
38 ~~while actually engaged in lawful hunting.~~

39 ~~h. d.~~ A person who carries a knife used in hunting
40 or fishing, while actually engaged in lawful hunting
41 or fishing.

42 ~~i. A person who has in the person's possession~~
43 ~~and who displays to a peace officer on demand a valid~~
44 ~~permit to carry weapons which has been issued to the~~
45 ~~person, and whose conduct is within the limits of that~~
46 ~~permit. A person shall not be convicted of a violation~~
47 ~~of this section if the person produces at the person's~~
48 ~~trial a permit to carry weapons which was valid at~~
49 ~~the time of the alleged offense and which would have~~
50 ~~brought the person's conduct within this exception if~~

~~1 the permit had been produced at the time of the alleged~~
~~2 offense.~~

3 ~~j.~~ e. A law enforcement officer from another state
4 when the officer's duties require the officer to carry
5 the weapon and the officer is in this state for any of
6 the following reasons:

7 (1) The extradition or other lawful removal of a
8 prisoner from this state.

9 (2) Pursuit of a suspect in compliance with chapter
10 806.

11 (3) Activities in the capacity of a law enforcement
12 officer with the knowledge and consent of the chief
13 of police of the city or the sheriff of the county in
14 which the activities occur or of the commissioner of
15 public safety.

16 ~~k.~~ f. A person engaged in the business of
17 transporting prisoners under a contract with the
18 Iowa department of corrections or a county sheriff,
19 a similar agency from another state, or the federal
20 government.

21 Sec. _____. Section 724.4B, subsection 2, paragraph
22 a, Code 2009, is amended to read as follows:

23 a. A person listed under section 724.4, subsection
24 4, ~~paragraphs~~ paragraph "b" through "f", "c", or
25 ~~"j" "e".~~

26 Sec. _____. Section 724.6, subsection 1, Code
27 Supplement 2009, is amended to read as follows:

28 1. A person ~~may be issued a permit to carry weapons~~
29 ~~when the person's employment who is employed in a~~
30 ~~private investigation business or private security~~
31 ~~business licensed under chapter 80A, or a person's~~
32 ~~employment~~ as a peace officer, correctional officer,
33 security guard, bank messenger or other person
34 transporting property of a value requiring security, or
35 in police work, whose employment reasonably justifies
36 that person going armed, shall be issued a professional
37 permit to carry weapons if the person applies for
38 the permit and meets the requirements of sections
39 724.8 through 724.10. The permit shall be on a form
40 prescribed and published by the commissioner of public
41 safety, shall identify the holder, and shall state
42 the nature of the employment requiring the holder to
43 go armed. A permit so issued, other than to a peace
44 officer, shall authorize the person to whom it is
45 issued to go armed anywhere in the state, ~~only~~ while
46 engaged in the employment, and while going to and from
47 the place of the employment. A permit issued to a
48 certified peace officer shall authorize that peace
49 officer to go armed anywhere in the state at all times.
50 Permits shall expire ~~twelve months~~ five years after the

1 date when issued except that permits issued to peace
2 officers and correctional officers are valid through
3 the officer's period of employment unless otherwise
4 canceled. When the employment is terminated, the
5 holder of the permit shall surrender it to the issuing
6 officer for cancellation.

7 Sec. _____. Section 724.7, Code 2009, is amended to
8 read as follows:

9 724.7 Nonprofessional permit to carry weapons.

10 Any person ~~who can reasonably justify going armed~~
11 ~~may not otherwise prohibited from possessing or~~
12 transporting a firearm and who meets the requirements
13 in sections 724.8 through 724.10 shall be issued a
14 nonprofessional permit to carry weapons if the person
15 applies for such permit. Such permits shall be on a
16 form prescribed and published by the commissioner of
17 public safety, which shall be readily distinguishable
18 from the professional permit, and shall identify the
19 holder thereof, and state the reason for the issuance
20 of the permit, ~~and the limits of the authority granted~~
21 ~~by such permit.~~ All permits so issued shall be for a
22 definite five-year period as established by the issuing
23 officer, but in no event shall exceed a period of
24 twelve months.

25 Sec. _____. Section 724.8, subsection 5, Code 2009,
26 is amended to read as follows:

27 5. ~~The issuing officer reasonably determines that~~
28 ~~the applicant does not constitute a danger to any~~
29 person person is not otherwise prohibited by state or
30 federal law from possessing or transporting a firearm.

31 Sec. _____. Section 724.9, Code 2009, is amended to
32 read as follows:

33 724.9 Firearm training program.

34 A training program to qualify persons in the safe
35 use of firearms shall be provided by the issuing
36 officer of permits, as provided in section 724.11.
37 ~~The commissioner of public safety shall approve~~
38 ~~the training program, and the county sheriff or~~
39 ~~the commissioner of public safety conducting the~~
40 ~~training program within their respective jurisdictions~~
41 may shall contract with a private organization or
42 use the services of other agencies, or may use a
43 combination of the two, to provide such training a
44 private individual or a professional organization who
45 shall conduct the training consistent with training
46 standards set forth by the national rifle association.
47 Any person eligible to be issued a permit to carry
48 weapons may enroll in such course. A fee sufficient
49 to cover the cost of the program may be charged each
50 person attending. Certificates of completion, on a

1 form prescribed and published by the commissioner
2 of public safety, shall be issued to each person who
3 successfully completes the program. ~~No~~ A person shall
4 not be issued either a professional or nonprofessional
5 permit unless the person has received a certificate of
6 completion or is a certified peace officer. ~~No peace~~
7 ~~officer or correctional officer, except a certified~~
8 ~~peace officer, shall go armed with a pistol or revolver~~
9 ~~unless the officer has received a certificate of~~
10 ~~completion, provided that this requirement shall not~~
11 ~~apply to persons who are employed in this state as~~
12 ~~peace officers on January 1, 1978 until July 1, 1978,~~
13 ~~or to peace officers of other jurisdictions exercising~~
14 ~~their legal duties within this state.~~

15 Sec. _____. Section 724.11, Code 2009, is amended to
16 read as follows:

17 724.11 Issuance of permit to carry weapons.
18 ~~Applications for permits~~ An application for a
19 permit to carry weapons, if made, shall be made to the
20 sheriff of the county in which the applicant resides.
21 Applications from persons who are nonresidents of
22 the state, or whose need to go armed arises out
23 of employment by the state, shall be made to the
24 commissioner of public safety. In either case,
25 the issuance of the permit shall be by and at the
26 discretion of the sheriff or commissioner, who
27 shall, before issuing the permit, determine that the
28 requirements of sections 724.6 to 724.8 through 724.10
29 have been satisfied and the person is not otherwise
30 prohibited by state or federal law from possessing or
31 transporting a firearm. However, the training program
32 requirements in section 724.9 may be waived for renewal
33 permits. The issuing officer shall collect a fee
34 of ~~ten~~ fifty dollars, except from a duly appointed
35 peace officer or correctional officer, for each permit
36 issued. Renewal permits or duplicate permits shall be
37 issued for a fee of five dollars. The issuing officer
38 shall notify the commissioner of public safety of the
39 issuance of any permit at least monthly and forward to
40 the commissioner an amount equal to two dollars for
41 each permit issued and one dollar for each renewal
42 or duplicate permit issued. All such fees received
43 by the commissioner shall be paid to the treasurer
44 of state and deposited in the operating account of
45 the department of public safety to offset the cost of
46 administering this chapter. Any unspent balance as of
47 June 30 of each year shall revert to the general fund
48 as provided by section 8.33.

49 Sec. _____. NEW SECTION. 724.11A Reciprocity.

50 A person possessing a valid out-of-state permit to

H-8583

Page 6

1 carry a weapon shall be entitled to the privileges and
2 subject to the restrictions prescribed by this chapter
3 provided the state that issued the license recognizes
4 weapons permits issued in Iowa and provided the person
5 possessing such permit is not otherwise prohibited from
6 possessing a firearm.

7 Sec. _____. REPEAL. Section 724.5, Code 2009, is
8 repealed.>

9 2. By renumbering as necessary.

By PAULSEN of Linn

H-8583 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8585

1 Amend **House File 2531** as follows:

2 1. Page 37, after line 14 by inserting:

3 <Sec. _____. Section 232.188, subsection 5, paragraph
4 b, unnumbered paragraph 1, Code 2009, is amended to
5 read as follows:

6 Notwithstanding section 8.33, moneys designated for
7 a project's decategorization services funding pool that
8 remain unencumbered or unobligated at the close of the
9 fiscal year shall not revert but shall remain available
10 for expenditure as directed by the project's governance
11 board for child welfare and juvenile justice systems
12 enhancements and other purposes of the project ~~until~~
13 ~~the close of the succeeding fiscal year and for the~~
14 ~~next two succeeding fiscal years.~~ Such moneys shall
15 be known as "carryover funding". Moneys may be made
16 available to a funding pool from one or more of the
17 following sources:>

18 2. By renumbering as necessary.

By L. MILLER of Scott

HEATON of Henry

H-8585 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8586

1 Amend **House File 2531** as follows:

2 1. Page 36, line 27, by striking <and or> and
3 inserting <and>

By HUSER of Polk

H-8586 FILED MARCH 24, 2010

H-8587

1 Amend House File 2531 as follows:
2 1. Page 36, after line 7 by inserting:
3 <Sec. _____. Section 99F.6, subsection 4, paragraph
4 a, Code 2009, is amended to read as follows:
5 a. Before a license is granted, the division
6 of criminal investigation of the department of
7 public safety shall conduct a thorough background
8 investigation of the applicant for a license to
9 operate a gambling game operation on an excursion
10 gambling boat. The applicant shall provide information
11 on a form as required by the division of criminal
12 investigation. A qualified sponsoring organization
13 licensed to operate gambling games under this chapter
14 shall distribute the receipts of all gambling games,
15 less reasonable expenses, charges, taxes, fees, and
16 deductions allowed under this chapter, as winnings
17 to players or participants or shall distribute the
18 receipts for educational, civic, public, charitable,
19 patriotic, or religious uses as defined in section
20 99B.7, subsection 3, paragraph "b". However, a
21 licensee to conduct gambling games under this chapter
22 shall, unless an operating agreement for an excursion
23 gambling boat otherwise provides, distribute at least
24 three percent of the adjusted gross receipts for
25 each license year for educational, civic, public,
26 charitable, patriotic, or religious uses as defined
27 in section 99B.7, subsection 3, paragraph "b".
28 However, if a licensee who is also licensed to conduct
29 pari-mutuel wagering at a horse racetrack has unpaid
30 debt from the pari-mutuel racetrack operations, the
31 first receipts of the gambling games operated within
32 the racetrack enclosure less reasonable operating
33 expenses, taxes, and fees allowed under this chapter
34 shall be first used to pay the annual indebtedness.
35 The commission shall authorize, subject to the debt
36 payments for horse racetracks and the provisions of
37 paragraph "b" for dog racetracks, a licensee who is
38 also licensed to conduct pari-mutuel dog or horse
39 racing to use receipts from gambling games within
40 the racetrack enclosure to supplement purses for
41 races particularly for Iowa-bred horses pursuant to
42 an agreement which shall be negotiated between the
43 licensee and representatives of the dog or horse
44 owners. A qualified sponsoring organization shall
45 not make a contribution to a candidate, political
46 committee, candidate's committee, state statutory
47 political committee, county statutory political
48 committee, national political party, or fund-raising
49 event as these terms are defined in section 68A.102.
50 The membership of the board of directors of a qualified

H-8587

1 sponsoring organization shall represent a broad
2 interest of the communities.
3 Ob. For agreements subject to commission approval
4 concerning purses for horse racing beginning on or
5 after January 1, 2006, and ending before January 1,
6 2021, the agreements shall provide that total annual
7 purses for all horse racing shall be no less than
8 eleven percent of the first two hundred million dollars
9 of net receipts, and six percent of net receipts
10 above two hundred million dollars. Agreements that
11 are subject to commission approval concerning horse
12 purses for a particular period of time beginning on
13 or after January 1, 2006, and ending before January
14 1, 2021, shall be jointly submitted to the commission
15 for approval. A qualified sponsoring organization
16 shall not make a contribution to a candidate, political
17 committee, candidate's committee, state statutory
18 political committee, county statutory political
19 committee, national political party, or fund raising
20 event as these terms are defined in section 68A.102.
21 The membership of the board of directors of a qualified
22 sponsoring organization shall represent a broad
23 interest of the communities. If any party representing
24 a horse breed and the horse racetrack licensee cannot
25 reach agreement by July 1 of the year preceding the
26 year in which the agreement is to become effective, the
27 commission shall require each party not in agreement
28 to arbitrate to conclusion by September 1, as provided
29 in this lettered paragraph. Each party not in
30 agreement shall select a representative and the two
31 representatives shall select a third party to assist in
32 negotiating an agreement. The two representatives may
33 select the commission or one of its members to serve as
34 the third party. Alternately, each party shall submit
35 the name of a proposed third party to the commission
36 which shall then select one of the two parties to serve
37 as the third party. All parties to the negotiations,
38 including the commission, shall consider that the horse
39 racetrack was built to facilitate the development and
40 promotion of Iowa-bred racing horses in this state and
41 shall negotiate and decide accordingly. For purposes
42 of this lettered paragraph, "net receipts" means the
43 annual adjusted gross receipts from all gambling games
44 less the annual amount of money pledged by the owner
45 of the facility to fund a project approved to receive
46 vision Iowa funds as of July 1, 2004.>
47 2. By renumbering as necessary.

By R. OLSON of Polk

HOUSE FILE 2531

H-8588

1 Amend the amendment, H-8557, to House File 2531 as
2 follows:

3 1. Page 1, line 29, after <report.> by inserting
4 <The legislative council shall provide for the funding
5 of the study and report by the commission.>

By MASCHER of Johnson

H-8588 FILED MARCH 24, 2010

H-8589

1 Amend House File 2531 as follows:

2 1. Page 42, after line 29 by inserting:

3 <DIVISION _____

4 WEAPONS _____

5 Sec. _____. Section 724.7, Code 2009, is amended to
6 read as follows:

7 724.7 Nonprofessional permit to carry weapons.

8 Any person who ~~can reasonably justify going armed~~
9 ~~may~~ is not disqualified under section 724.8, who
10 satisfies the training requirements of section 724.9,
11 and who files an application in accordance with
12 section 724.10 shall be issued a nonprofessional permit
13 to carry weapons. Such permits shall be on a form
14 prescribed and published by the commissioner of public
15 safety, which shall be readily distinguishable from
16 the professional permit, and shall identify the holder
17 thereof, and state the reason for the issuance of the
18 permit, and the limits of the authority granted by such
19 permit of the permit. All permits so issued shall be
20 for a definite period as established by the issuing
21 officer, but in no event shall exceed a period of
22 twelve months five years and shall be valid throughout
23 the state except where the possession or carrying of a
24 firearm is prohibited by state or federal law.

25 Sec. _____. Section 724.8, Code 2009, is amended by
26 striking the section and inserting in lieu thereof the
27 following:

28 724.8 Persons eligible for permit to carry weapons.

29 No professional or nonprofessional permit to carry
30 weapons shall be issued to a person who is prohibited
31 by federal law from shipping, transporting, possessing,
32 or receiving a firearm.

33 Sec. _____. Section 724.9, Code 2009, is amended by
34 striking the section and inserting in lieu thereof the
35 following:

36 724.9 Firearm training program.

37 1. An applicant shall demonstrate knowledge of
38 firearm safety by any of the following means:

39 a. Completion of any national rifle association
40 firearms safety or firearms training course.

41 b. Completion of any firearms safety or firearms
42 training course available to the general public
43 offered by a law enforcement agency, community
44 college, college, private or public institution or
45 organization, or firearms training school utilizing
46 instructors certified by the national rifle association
47 or the department of public safety or another state's
48 department of public safety, state police department,
49 or similar certifying body.

50 c. Completion of any law enforcement firearms

H-8589

1 safety or firearms training course or class offered
2 for security guards, investigators, special deputies,
3 or any division or subdivision of a law enforcement or
4 security enforcement agency.

5 d. Completion of small arms training while serving
6 with the armed forces of the United States as evidenced
7 by any of the following:

8 (1) For personnel released or retired from active
9 duty, possession of an honorable discharge or general
10 discharge under honorable conditions.

11 (2) For personnel on active duty or serving in
12 one of the national guard or reserve components of
13 the armed forces of the United States, possession of
14 a certificate of completion of basic training with a
15 service record of successful completion of small arms
16 training and qualification.

17 e. Previously having held a license to carry a
18 firearm in this state, any political subdivision of
19 this state, or in a state recognized under section
20 724.11A, unless such license was revoked for cause.

21 f. Completion of a law enforcement agency firearms
22 training course that qualifies a peace officer to carry
23 a firearm in the normal course of the peace officer's
24 duties.

25 2. Evidence of qualification under this section may
26 be documented by any of the following:

27 a. A photocopy of a certificate of completion or
28 any similar document indicating completion of any
29 course or class identified in subsection 1.

30 b. An affidavit from the instructor, school,
31 organization, or group that conducted or taught a
32 course or class identified in subsection 1 attesting to
33 the completion of the course or class by the applicant.

34 c. A copy of any document indicating participation
35 in any firearms shooting competition.

36 d. A copy of a license described in subsection 1,
37 paragraph "f".

38 3. An issuing officer shall not condition the
39 issuance of a permit on training requirements that are
40 not specified in or that exceed the requirements of
41 this section.

42 Sec. _____. Section 724.10, Code 2009, is amended to
43 read as follows:

44 724.10 Application for permit to carry weapons --
45 ~~criminal-history background~~ check required.

46 1. A person shall not be issued a permit to carry
47 weapons unless the person has completed and signed an
48 application on a form to be prescribed and published
49 by the commissioner of public safety. The application
50 shall ~~state~~ require only the full name, driver's

1 license or nonoperator's identification card number,
2 residence, place of birth, and age of the applicant,
3 and shall state whether the applicant ~~has ever been~~
4 ~~convicted of a felony, whether the person is addicted~~
5 ~~to the use of alcohol or any controlled substance, and~~
6 ~~whether the person has any history of mental illness or~~
7 ~~repeated acts of violence~~ meets the criteria specified
8 in sections 724.8 and 724.9. An applicant may provide
9 the applicant's social security number if the applicant
10 so chooses. The applicant shall also display an
11 identification card that bears a distinguishing number
12 assigned to the cardholder, the full name, date of
13 birth, sex, residence address, and a brief description
14 and colored photograph of the cardholder.

15 2. The ~~sheriff~~ issuing officer, upon receipt
16 of an initial or renewal application under this
17 section, shall ~~conduct~~ immediately conduct a criminal
18 history background check concerning each applicant by
19 obtaining criminal history data from the department of
20 public safety which shall include an inquiry of the
21 national instant criminal background system maintained
22 by the federal bureau of investigation or any successor
23 agency.

24 3. A person who knowingly makes a false statement
25 of material fact on ~~the~~ an application submitted under
26 this section or who knowingly submits any materially
27 falsified or forged document in connection with such
28 application commits a class "D" felony an aggravated
29 misdemeanor.

30 Sec. ____. Section 724.11, Code 2009, is amended to
31 read as follows:

32 724.11 Issuance of permit to carry weapons.

33 1. Applications for permits to carry weapons shall
34 be made to the sheriff of the county in which the
35 applicant resides. Applications from persons who are
36 nonresidents of the state, or whose need to go armed
37 arises out of employment by the state, shall be made
38 to the commissioner of public safety. In either case,
39 ~~the issuance of the permit shall be by and at the~~
40 ~~discretion of the sheriff or commissioner, who shall,~~
41 before issuing the permit, shall determine that the
42 requirements of sections 724.6 to 724.10 have been
43 satisfied. However, the training program requirements
44 in section 724.9 ~~may~~ shall be waived for renewal
45 permits.

46 2. The issuing officer shall collect a fee of
47 ~~ten~~ fifty dollars, except from a duly appointed peace
48 officer or correctional officer, for each permit
49 issued. Renewal permits or duplicate permits shall be
50 issued for a fee of ~~five~~ twenty-five dollars, provided

1 the application for such renewal permit is received
2 by the issuing officer at least thirty days prior to
3 the expiration of the applicant's current permit.

4 The issuing officer shall notify the commissioner of
5 public safety of the issuance of any permit at least
6 monthly and forward to the commissioner an amount
7 equal to two dollars for each permit issued and one
8 dollar for each renewal or duplicate permit issued.

9 All such fees received by the commissioner shall be
10 paid to the treasurer of state and deposited in the
11 operating account of the department of public safety
12 to offset the cost of administering this chapter.
13 ~~Any~~ Notwithstanding section 8.33, any unspent balance
14 as of June 30 of each year shall revert to the general
15 fund ~~as provided by section 8.33~~ of the state.

16 3. The sheriff or commissioner of public safety
17 shall approve or deny an initial or renewal application
18 submitted under this section within thirty days of
19 receipt of the application. If the issuing officer
20 has not received a response to an information request
21 necessary to determine the applicant's eligibility at
22 the end of the thirty-day period and the applicant is
23 not otherwise disqualified, the issuing officer shall
24 issue a conditional permit to the applicant. The
25 conditional permit shall be readily distinguishable
26 in appearance from a five-year permit and shall be
27 immediately revoked if the information subsequently
28 received indicates the applicant is ineligible for a
29 permit and the application is denied. A person whose
30 application for a permit under this chapter is denied
31 may seek review of the denial under section 724.21A.

32 Sec. _____. NEW SECTION. 724.11A Reciprocity.

33 1. The commissioner of public safety shall compare
34 the provisions of sections 724.7 and 724.8 with similar
35 statutes of other states to determine whether such
36 state's laws are similar to or exceed the requirements
37 of sections 724.7 and 724.8. The commissioner shall
38 seek a reciprocity agreement with each state whose laws
39 are similar to or exceed the requirements of sections
40 724.7 and 724.8.

41 2. A valid nonprofessional permit or license to
42 carry weapons recognized in this state pursuant to
43 subsection 1 shall have the same legal effect as a
44 nonprofessional permit to carry weapons issued under
45 this chapter, except that such permit shall not be
46 considered to be a substitute for an annual permit to
47 acquire weapons issued pursuant to section 724.15.

48 Sec. _____. Section 724.17, Code 2009, is amended to
49 read as follows:

50 724.17 Application for annual permit to acquire --

1 criminal history check required.

2 The application for an annual permit to acquire
3 pistols or revolvers may be made to the sheriff of the
4 county of the applicant's residence and shall be on a
5 form prescribed and published by the commissioner of
6 public safety. The application shall state require
7 only the full name of the applicant, the driver's
8 license or nonoperator's identification card number of
9 the applicant, the residence of the applicant, and the
10 age and place of birth of the applicant. The applicant
11 shall also display an identification card that bears
12 a distinguishing number assigned to the cardholder,
13 the full name, date of birth, sex, residence address,
14 and brief description and colored photograph of the
15 cardholder, or other identification as specified by
16 rule of the department of public safety. The sheriff
17 shall conduct a criminal history check concerning
18 each applicant by obtaining criminal history data
19 from the department of public safety which shall
20 include an inquiry of the national instant criminal
21 background system maintained by the federal bureau of
22 investigation or any successor agency. A person who
23 knowingly makes a false statement of material fact on
24 the application commits a class "D" felony. A person
25 who knowingly makes a false statement of material fact
26 on an application submitted under this section or who
27 knowingly submits any materially falsified or forged
28 document in connection with such application commits
29 an aggravated misdemeanor.

30 Sec. _____. NEW SECTION. 724.21A Hearing on denial
31 or revocation of permit to carry weapons and permits to
32 acquire pistols or revolvers.

33 1. In any case where the sheriff or the
34 commissioner of public safety denies an application
35 for or revokes a permit to carry weapons or an annual
36 permit to acquire pistols or revolvers, the applicant
37 or permit holder shall have the right to appeal the
38 denial or revocation of the permit to an administrative
39 law judge in the department of inspections and appeals
40 within thirty days of receiving written notice of the
41 denial or revocation.

42 2. The applicant or permit holder may file an
43 appeal with an administrative law judge by filing a
44 copy of the denial or revocation notice with a written
45 statement that clearly states the applicant's reasons
46 rebutting the denial or revocation along with a fee
47 of ten dollars. Additional supporting information
48 relevant to the proceedings may also be included.

49 3. The administrative law judge shall grant an
50 aggrieved applicant an opportunity to be heard within

1 forty-five days of receipt of the request for an
2 appeal. The hearing may be held by telephone or video
3 conference at the discretion of the administrative law
4 judge. The administrative law judge shall receive
5 witness testimony and other evidence relevant to the
6 proceedings at the hearing.

7 4. Upon conclusion of the hearing, the
8 administrative law judge shall order that the denial
9 or revocation of the permit be either rescinded or
10 sustained. An applicant, permit holder, or issuing
11 officer aggrieved by the final judgment of the
12 administrative law judge shall have the right to
13 judicial review in accordance with the terms of the
14 Iowa administrative procedure Act, chapter 17A.

15 Sec. _____. Section 724.25, subsection 1, Code 2009,
16 is amended to read as follows:

17 1. As used in ~~sections 724.8, subsection 2,~~
18 ~~and section~~ 724.26, the word "felony" means any offense
19 punishable in the jurisdiction where it occurred
20 by imprisonment for a term exceeding one year, but
21 does not include any offense, ~~other than an offense~~
22 ~~involving a firearm or explosive~~, classified as a
23 misdemeanor under the laws of the state and punishable
24 by a term of imprisonment of two years or less.

25 Sec. _____. Section 724.27, Code 2009, is amended to
26 read as follows:

27 724.27 Offenders' rights restored.

28 1. The provisions of section 724.8, ~~subsection~~
29 ~~2,~~ section 724.15, subsection 1, ~~paragraphs "b" and~~
30 ~~"e"~~, and section 724.26 shall not apply to a person who
31 is eligible to have the person's civil rights regarding
32 firearms restored under section 914.7 ~~and who is~~
33 ~~pardoned or has had the person's civil rights restored~~
34 ~~by the President of the United States or the chief~~
35 ~~executive of a state and who is expressly authorized~~
36 ~~by the President of the United States or such chief~~
37 ~~executive to receive, transport, or possess firearms or~~
38 ~~destructive devices. if any of the following occur:~~

39 a. The person is pardoned by the President of the
40 United States or the chief executive of a state for a
41 disqualifying conviction.

42 b. The person's civil rights have been restored
43 after a disqualifying conviction, commitment, or
44 adjudication.

45 c. The person's conviction for a disqualifying
46 offense has been expunged.

47 2. Subsection 1 shall not apply to a person whose
48 pardon, restoration of civil rights, or expungement of
49 conviction expressly forbids the person to receive,
50 transport, or possess firearms or destructive devices.>

1 2. By renumbering as necessary.

By PAULSEN of Linn

HOUSE FILE 2531

H-8594

1 Amend House File 2531 as follows:
2 1. Page 37, after line 14 by inserting:
3 <Sec. _____. 2010 Iowa Acts, Senate File 2378,
4 section 20, subsection 1, if enacted, is amended to
5 read as follows:
6 1. A public safety enforcement fund is created in
7 the state treasury under the control of the treasurer
8 of state. Notwithstanding section 602.8108, after
9 the necessary amount is remitted for deposit in the
10 Iowa prison infrastructure fund as provided in section
11 602.8108A, the state court administrator shall allocate
12 to the treasurer of state for deposit in the public
13 safety enforcement fund the ~~first~~ next eight million
14 eight hundred thousand dollars of the moneys received
15 under section 602.8108, subsection 2, during the fiscal
16 year beginning July 1, 2010, and ending June 30, 2011.
17 Moneys deposited into the fund are appropriated to
18 the treasurer of state for allocation as provided in
19 subsection 2.>
20 2. By renumbering as necessary.

By TAYLOR of Linn

H-8594 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8598

1 Amend the amendment, H-8589, to House File 2531 as
2 follows:
3 1. Page 1, by striking lines 29 through 32 and
4 inserting:
5 <A professional or nonprofessional permit to carry
6 weapons shall not be issued to a person unless the
7 person is eighteen years of age or older and the
8 person is not prohibited by federal law from shipping,
9 transporting, possessing, or receiving a firearm.>

By WINDSCHITL of Harrison

H-8598 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8600

1 Amend the amendment, H-8554, to House File 2531 as
2 follows:
3 1. Page 1, after line 1 by inserting:
4 <____. Page 29, after line 27 by inserting:
5 <Sec. _____. There is appropriated from the general
6 fund of the state to the electrical examining board
7 established in section 103.2 for the fiscal year
8 beginning July 1, 2010, and ending June 30, 2011, the
9 following amount, or so much thereof as is necessary
10 for the purpose of conducting inspections pursuant to
11 section 103.23:
12 \$ 5,000>>

By BAILEY of Hamilton

H-8600 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8601

1 Amend the amendment, H-8587, to House File 2531 as
2 follows:
3 1. Page 2, line 10, after <dollars.> by inserting
4 <In addition, for agreements concerning horse racing
5 between the licensee operating the horse racetrack in
6 Polk county and representatives of standardbred horse
7 owners, the agreement shall include a supplemental
8 amount for standardbred horse races held at county fair
9 racetracks in the state.>
10 2. By renumbering as necessary.

By PALMER of Mahaska

H-8601 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8604

1 Amend House File 2531 as follows:
2 1. Page 10, by striking lines 21 and 22.
3 2. By renumbering as necessary.

By HUSER of Polk

H-8604 FILED MARCH 24, 2010

SENATE FILE 2201

H-8578

1 Amend Senate File 2201, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, after line 29 by inserting:

4 <Sec. _____. Section 505.7, Code Supplement 2009, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 10. a. The commissioner shall
7 assess the costs of carrying out the insurance
8 division's duties pursuant to section 505.8, subsection
9 18, section 505.17, subsection 2, and sections 505.18
10 and 505.19 that are directly attributable to the
11 performance of the division's duties involving specific
12 health insurance carriers licensed to do business in
13 this state. Such expenses shall be charged to and paid
14 by the specific health insurance carrier to whom the
15 expenses are attributable and upon failure or refusal
16 of any such carrier to pay such expenses, the same may
17 be recovered in an action brought in the name of the
18 state. In addition, the commissioner may revoke the
19 certificate of authority of a health insurance carrier
20 licensed to do business in this state that fails to pay
21 such expenses attributable to that carrier.

22 b. The commissioner shall assess the costs of
23 carrying out the insurance division's duties generally
24 pursuant to section 505.8, subsection 18, section
25 505.17, subsection 2, and sections 505.18 and 505.19,
26 and for implementation and maintenance of health
27 insurance information for consumers on the insurance
28 division internet site, that are not attributable to
29 a specific health insurance carrier, to all health
30 insurance carriers that are licensed to do business
31 in this state on a proportionate basis as provided by
32 rules adopted by the commissioner.

33 Sec. _____. Section 505.8, Code Supplement 2009, is
34 amended by adding the following new subsection:

35 NEW SUBSECTION. 18. The commissioner shall
36 annually convene a work group composed of the consumer
37 advocate, health insurance carriers, health care
38 providers, small employers that purchase health
39 insurance under chapter 513B, and individual consumers
40 in the state for the purpose of considering ways
41 to reduce the cost of providing health insurance
42 coverage and health care services, including but
43 not limited to utilization of uniform billing codes,
44 improvements to provider credentialing procedures,
45 reducing out-of-state care expenses, and the electronic
46 delivery of explanation of benefits statements. The
47 recommendations made by the work group shall be
48 included in the annual report filed with the general
49 assembly pursuant to section 505.18.

50 Sec. _____. Section 505.17, Code 2009, is amended to

H-8578

1 read as follows:

2 505.17 Confidential information.

3 1. a. Information, records, and documents utilized
4 for the purpose of, or in the course of, investigation,
5 regulation, or examination of an insurance company or
6 insurance holding company, received by the division
7 from some other governmental entity which treats such
8 information, records, and documents as confidential,
9 are confidential and shall not be disclosed by the
10 division and are not subject to subpoena. Such
11 information, records, and documents do not constitute a
12 public record under chapter 22.

13 b. The disclosure of confidential information,
14 administrative or judicial orders which contain
15 confidential information, or information regarding
16 other action of the division which is not a public
17 record subject to disclosure, to other insurance and
18 financial regulatory officials may be permitted by
19 the commissioner provided that those officials are
20 subject to, or agree to comply with, standards of
21 confidentiality comparable to those imposed on the
22 commissioner.

23 2. Notwithstanding subsection 1, an application for
24 a rate increase filed by a health insurance carrier and
25 all information, records, and documents accompanying
26 such an application or utilized for the purpose of,
27 or in the course of consideration of the application
28 by the commissioner, shall constitute a public record
29 under chapter 22 except as provided in this subsection.

30 a. The commissioner shall consider the written
31 request of a health insurance carrier to keep
32 confidential certain details of an application or
33 accompanying information, records, and documents. If
34 the request includes a sufficient explanation as to why
35 public disclosure of such details would give an unfair
36 advantage to competitors, the commissioner shall keep
37 such details confidential. If the commissioner elects
38 to keep certain details confidential, the commissioner
39 shall release only the nonconfidential details in
40 response to a request for records made pursuant to
41 chapter 22. If confidential details are withheld from
42 a request for records made pursuant to chapter 22, the
43 commissioner shall release an explanation of why the
44 information was deemed confidential and a summary of
45 the nature of the information withheld and the reasons
46 for withholding the information.

47 b. In considering requests for confidential
48 treatment, the commissioner shall narrowly construe the
49 provisions of this subsection in order to appropriately
50 balance an applicant's need for confidentiality

1 against the public's right to information about the
2 application.

3 c. The commissioner shall adopt rules establishing
4 a process relating to requests to keep information
5 confidential pursuant to this subsection which may
6 include but are not limited to the following:

7 (1) The nature and extent of competition in the
8 applicant's industry sector or service territory.

9 (2) The likelihood of adverse financial impact to
10 the applicant if the information were to be released.

11 (3) Any other factor the commissioner reasonably
12 considers relevant.

13 Sec. ____ . NEW SECTION. 505.18 Annual report.

14 1. Consumers deserve to know the quality and cost
15 of their health care insurance. Health care insurance
16 transparency provides consumers with the information
17 necessary, and the incentive, to choose health plans
18 based on cost and quality. Reliable cost and quality
19 information about health care insurance empowers
20 consumer choice and consumer choice creates incentives
21 at all levels, and motivates the entire health care
22 delivery system to provide better health care and
23 health care benefits at a lower cost. It is the
24 purpose of this section to make information regarding
25 the costs of health care insurance readily available to
26 consumers through the consumer advocate bureau of the
27 insurance division.

28 2. The commissioner in collaboration with the
29 consumer advocate shall prepare and deliver a report
30 to the governor and to the general assembly no later
31 than November 15 of each year that provides findings
32 regarding health spending costs for health insurance
33 plans in the state for the previous fiscal year.

34 The commissioner may contract with outside vendors
35 or entities to assist in providing the information
36 contained in the annual report. The report shall
37 provide, at a minimum, the following information:

38 a. Aggregate health insurance data concerning loss
39 ratios of health insurance carriers licensed to do
40 business in the state.

41 b. Rate increase data.

42 c. Health care expenditures in the state and the
43 effect of such expenditures on health insurance premium
44 rates.

45 d. A ranking and quantification of those factors
46 that result in higher costs and those factors that
47 result in lower costs for each health insurance plan
48 offered in the state.

49 e. The current capital and surplus and reserve
50 amounts held in reserve by each health insurance

1 carrier licensed to do business in the state.

2 f. A listing of any apparent medical trends
3 affecting health insurance costs in the state.

4 g. Any additional data or analysis deemed
5 appropriate by the commissioner to provide the
6 general assembly with pertinent health insurance cost
7 information.

8 h. Recommendations made by the work group convened
9 pursuant to section 505.8, subsection 18.

10 Sec. _____. NEW SECTION. 505.19 Health insurance
11 rate increase applications -- public hearing and
12 comment.

13 1. All health insurance carriers licensed to
14 do business in the state shall immediately notify
15 policyholders of any application for a rate increase
16 that is filed with the insurance division. Such
17 notice shall specify the rate increase proposed that
18 is applicable to each policyholder and shall include
19 the ranking and quantification of those factors that
20 are responsible for the amount of the rate increase
21 proposed. The notice shall include information about
22 how the policy holder can contact the consumer advocate
23 for assistance.

24 2. The commissioner shall hold a public hearing at
25 the time a carrier files for proposed health insurance
26 rate increases prior to approval or disapproval of
27 the proposed rate increases for that carrier by the
28 commissioner.

29 3. The consumer advocate shall solicit public
30 comments on each proposed health insurance rate
31 increase application and shall post without delay all
32 comments received on the insurance division's internet
33 site prior to approval or disapproval of the proposed
34 rate increase by the commissioner.

35 4. The consumer advocate shall present the public
36 testimony and comments received for consideration by
37 the commissioner in determining whether to approve
38 or disapprove such health insurance rate increase
39 proposals.

40 5. The commissioner shall adopt rules pursuant
41 to chapter 17A to implement the provisions of this
42 section.>

43 2. Page 18, after line 31 by inserting:

44 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
45 provisions of this Act, being deemed of immediate
46 importance, take effect upon enactment:

47 1. The section of this Act enacting section 505.7,
48 subsection 10.

49 2. The section of this Act enacting section 505.8,
50 subsection 18.

H-8578

Page 5

1 3. The section of this Act amending section 505.17.
2 4. The sections of this Act enacting sections
3 505.18 and 505.19.>
4 3. Title page, line 4, after <Act,> by inserting <a
5 health care and insurance cost work group, applications
6 for health insurance rate increases, an internet
7 consumer guide,>
8 4. Title page, line 9, after <applicable> by
9 inserting <and including effective date provisions>
10 5. By renumbering as necessary.

By PETERSEN of Polk

H-8578 FILED MARCH 24, 2010

SENATE FILE 2201

H-8592

1 Amend the amendment, **H-8578**, to **Senate File 2201**,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 45, after <expenses,> by inserting
5 <annually assessing the impact of federal health care
6 reform legislation on health care costs in the state
7 and determining whether such legislation has reduced
8 the cost of health insurance in the state,>

By SCHULTE of Linn

H-8592 FILED MARCH 24, 2010

SENATE FILE 2201

H-8596

1 Amend the amendment, **H-8578**, to **Senate File 2201**,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 35, after <18.> by inserting <a.>
5 2. Page 1, after line 49 by inserting:
6 <b. The work group shall also complete an annual
7 review of the cost of health insurance mandates
8 currently imposed on health insurance regulated by
9 the state and provide projections of the cost of
10 any mandates that the commissioner determines may be
11 considered by the general assembly during the upcoming
12 legislative session. The review and projections
13 shall be included in the annual report filed by the
14 commissioner with the general assembly pursuant to
15 section 505.18.>

By UPMEYER of Hancock

H-8596 FILED MARCH 24, 2010

SENATE FILE 2201

H-8597

1 Amend the amendment, H-8578, to Senate File 2201,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, after line 3 by inserting:
5 <Og. Any increase in health insurance premiums
6 that is related to the assessment of health insurance
7 carriers pursuant to the provisions of section 505.7,
8 subsection 10.>

By PETTENGILL of Benton

H-8597 FILED MARCH 24, 2010

SENATE FILE 2201

H-8599

1 Amend the amendment, H-8578, to Senate File 2201,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 45, after <expenses,> by inserting
5 <the impact on health insurance rates of allowing
6 Iowans to purchase health insurance from insurers not
7 licensed to do business in Iowa,>

By SODERBERG of Plymouth

H-8599 FILED MARCH 24, 2010

SENATE FILE 2201

H-8606

1 Amend the amendment, H-8578, to Senate File 2201,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 4, after line 39 by inserting:

5 <4A. a. For the purposes of this section, "health
6 insurance" does not include any of the following:

7 (1) Coverage for accident-only, or disability
8 income insurance.

9 (2) Coverage issued as a supplement to liability
10 insurance.

11 (3) Liability insurance, including general
12 liability insurance and automobile liability insurance.

13 (4) Workers' compensation or similar insurance.

14 (5) Automobile medical-payment insurance.

15 (6) Credit-only insurance.

16 (7) Coverage for on-site medical clinic care.

17 (8) Other similar insurance coverage, specified in
18 federal regulations, under which benefits for medical
19 care are secondary or incidental to other insurance
20 coverage or benefits.

21 b. For the purposes of this section, "health
22 insurance" does not include benefits provided under a
23 separate policy as follows:

24 (1) Limited scope dental or vision benefits.

25 (2) Benefits for long-term care, nursing home care,
26 home health care, or community-based care.

27 (3) Any other similar limited benefits as provided
28 by rule of the commissioner.

29 c. For the purposes of this section, "health
30 insurance" does not include benefits offered as
31 independent noncoordinated benefits as follows:

32 (1) Coverage only for a specified disease or
33 illness.

34 (2) A hospital indemnity or other fixed indemnity
35 insurance.

36 d. For the purposes of this section, "health
37 insurance" does not include Medicare supplemental
38 health insurance as defined under { 1882(g)(1) of the
39 federal Social Security Act, coverage supplemental
40 to the coverage provided under 10 U.S.C. ch. 55, and
41 similar supplemental coverage provided to coverage
42 under group health insurance coverage.>

By PETERSEN of Polk

H-8606 FILED MARCH 24, 2010

H-8572

1 Amend Senate File 2265, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 17, by striking <environmentally
4 sensitive land,>
5 2. Page 3, by striking lines 1 through 11 and
6 inserting:
7 <a. (1) "Development" means any of the following:
8 (a) Construction, reconstruction, renovation,
9 mining, extraction, dredging, filling, excavation, or
10 drilling activity or operation.
11 (b) Man-made changes in the use or appearance of
12 any structure or in the land itself.
13 (c) The division or subdivision of land.
14 (d) Any change in the intensity of use or the use
15 of land.
16 (2) "Development" does not include any of the
17 following:
18 (a) Activities on or uses of agricultural land,
19 farm houses, or agricultural buildings or structures,
20 unless such buildings or structures are located in the
21 flood plain of a river or stream.
22 (b) Installation, operation, and maintenance of
23 soil and water conservation practices.
24 (c) The choice of crops or a change in the choice
25 of crops on agricultural land.>
26 3. By striking page 5, line 34, through page 6,
27 line 4, and inserting <resources.>
28 4. Page 6, line 17, after <municipality> by
29 inserting <or that pose a risk of catastrophic damage>
30 5. Page 6, line 19, by striking <consistent with>
31 and inserting <after considering>
32 6. Page 7, after line 2 by inserting:
33 <3. A municipality's comprehensive plan developed
34 using the guidelines under this section shall address
35 prevention and mitigation of, response to, and recovery
36 from a catastrophic flood.>
37 7. Page 12, line 35, by striking <twenty-seven> and
38 inserting <twenty-nine>
39 8. Page 13, line 4, by striking <Thirteen> and
40 inserting <Fourteen>
41 9. Page 13, after line 32 by inserting:
42 <(14) The chairperson of the utilities board within
43 the utilities division of the department of commerce or
44 the chairperson's designee.>
45 10. Page 13, by striking lines 33 and 34 and
46 inserting:
47 b. Chairperson of the department of community
48 and regional planning at Iowa state university or the
49 chairperson's designee.
50 11. Page 14, after line 13 by inserting:

H-8572

1 <Oj. President of the executive committee of the
2 school administrators of Iowa or the president's
3 designee.>
4 12. Page 14, line 16, by striking <latest
5 preceding> and inserting <2000>
6 13. Page 14, line 19, by striking <latest
7 preceding> and inserting <2000>
8 14. Page 14, line 23, by striking <latest
9 preceding> and inserting <2000>
10 15. Page 14, line 26, by striking <latest
11 preceding> and inserting <2000>
12 16. Page 14, line 29, by striking <latest
13 preceding> and inserting <2000>
14 17. Page 14, line 33, by striking <latest
15 preceding> and inserting <2000>
16 18. Page 15, line 13, after <governor.> by
17 inserting <For the members of the task force designated
18 in subsection 2, paragraphs "j" through "o", at least
19 one member shall have experience in real estate,
20 at least one member shall have experience in land
21 development, and at least one member shall have
22 experience in residential construction.>
23 19. Page 15, by striking line 32 and inserting:
24 <8. The director of the department of management,
25 or the director's designee,>
26 20. Page 16, after line 1 by inserting:
27 <8A. The director of the department of management,
28 or the director's designee, shall seek funding to
29 support municipal comprehensive planning in this
30 state.>
31 21. Page 16, line 3, by striking <rebuild Iowa
32 office> and inserting <department of management>
33 22. Page 16, line 22, after <conduct> by inserting
34 <local and regional>
35 23. Page 16, by striking lines 29 and 30 and
36 inserting:
37 <g. Review municipal comprehensive plans to
38 determine the number of such plans that address the
39 hazards identified in section 18B.2, subsection 2,
40 paragraph "k", and the adequacy of such plans in
41 addressing those hazards.
42 h. Develop a set of recommendations that is
43 consistent with>
44 24. Page 17, before line 17 by inserting:
45 <i. (1) Develop a model ordinance for the
46 regulation of a two-tenths percent floodplain
47 by political subdivisions. The model ordinance
48 shall include a definition of the term "two-tenths
49 percent floodplain" as applicable to the ordinance's
50 provisions.

H-8572

Page 3

1 (2) The taskforce may consider all of the following
2 in the model ordinance:
3 (a) Requirements for the purchase of flood
4 insurance for property.
5 (b) Requirements for new development or
6 modification or improvement of existing development to
7 mitigate the effects of future flooding.
8 (c) The effect of flood control levees.
9 (d) The use of fill and offsets required for the
10 use of fill.
11 (e) Categories of development that should be
12 prohibited.
13 (f) Interaction with regulations by the federal
14 emergency management agency.
15 (g) Any other issues that the taskforce finds
16 should be addressed in the model ordinance.>
17 25. Page 17, after line 20 by inserting:
18 <12. The task force is dissolved on December 31,
19 2012.>
20 26. By renumbering, redesignating, and correcting
21 internal references as necessary.

By D. OLSON of Boone

H-8572 FILED MARCH 24, 2010

SENATE FILE 2270

H-8590

1 Amend **Senate File 2270**, as passed by the Senate, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. BREAST-FEEDING IN THE WORKPLACE. It
6 is the intent of the general assembly that the state
7 shall not enact more stringent provisions than those
8 provided in federal **House Resolution 3590**, the Patient
9 Protection and Affordable Care Act, section 4207,
10 amending section 7 of the Fair Labor Standards Act of
11 1938, 29 U.S.C. { 207, relating to employers providing
12 time and locations for employees to express breast
13 milk.>

By TYMESON of Madison

H-8590 FILED MARCH 24, 2010

SENATE FILE 2270

H-8593

1 Amend the amendment, **H-8443**, to **Senate File 2270**, as
2 passed by the Senate, as follows:
3 1. Page 1, line 48, after <birth> by inserting <or
4 as soon as practicable>
5 2. Page 2, lines 2 and 3, by striking <within a
6 reasonable time> and inserting <as soon as practicable>

By MASCHER of Johnson

H-8593 FILED MARCH 24, 2010

SENATE FILE 2270

H-8595

1 Amend Senate File 2270, as passed by the Senate, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. NEW SECTION. 135.30B Breast-feeding
6 in the workplace.
7 1. An employer shall provide reasonable break
8 time for an employee to express breast milk for her
9 nursing child for one year after the child's birth
10 each time such employee has need to express the milk.
11 The employer shall also provide a place, other than
12 a bathroom, that is shielded from view and free from
13 intrusion from coworkers and the public, which may be
14 used by an employee to express breast milk.
15 2. An employer is not required to compensate
16 an employee receiving reasonable break time under
17 subsection 1 for any work time spent for such purpose.
18 3. An employer that employs less than fifty
19 employees shall not be subject to the requirements of
20 this section, if such requirements would impose an
21 undue hardship by causing the employer significant
22 difficulty or expense when considered in relation to
23 the size, financial resources, nature, or structure of
24 the employer's business.>

By TYMESON of Madison

H-8595 FILED MARCH 24, 2010

SENATE FILE 2270

H-8602

1 Amend the amendment, H-8443, to Senate File 2270, as
2 passed by the Senate, as follows:
3 1. By striking page 1, line 5, through page 4, line
4 25, and inserting:
5 <<Section 1. BREAST-FEEDING IN THE WORKPLACE. It
6 is the intent of the general assembly that the state
7 shall not enact more stringent provisions than those
8 provided in federal House Resolution 3590, the Patient
9 Protection and Affordable Care Act, section 4207,
10 amending section 7 of the Fair Labor Standards Act of
11 1938, 29 U.S.C. { 207, relating to employers providing
12 time and locations for employees to express breast
13 milk.>>

By TYMESON of Madison

H-8602 FILED MARCH 24, 2010

SENATE FILE 2270

H-8605

1 Amend the amendment, H-8443, to Senate File 2270, as
2 passed by the Senate, as follows:

3 1. By striking page 1, line 5, through page 4, line
4 25, and inserting:

5 <<Section 1. NEW SECTION. 135.30B Breast-feeding
6 in the workplace.

7 1. An employer shall provide reasonable break
8 time for an employee to express breast milk for her
9 nursing child for one year after the child's birth
10 each time such employee has need to express the milk.
11 The employer shall also provide a place, other than
12 a bathroom, that is shielded from view and free from
13 intrusion from coworkers and the public, which may be
14 used by an employee to express breast milk.

15 2. An employer is not required to compensate
16 an employee receiving reasonable break time under
17 subsection 1 for any work time spent for such purpose.

18 3. An employer that employs less than fifty
19 employees shall not be subject to the requirements of
20 this section, if such requirements would impose an
21 undue hardship by causing the employer significant
22 difficulty or expense when considered in relation to
23 the size, financial resources, nature, or structure of
24 the employer's business.>>

By TYMESON of Madison

H-8605 FILED MARCH 24, 2010

SENATE FILE 2381

H-8566

1 Amend Senate File 2381, as passed by the Senate, as
2 follows:

3 1. Page 6, after line 15 by inserting:

4 <Sec. _____. Section 321.445, subsection 3, Code
5 2009, is amended to read as follows:

6 3. The driver and front seat passengers may be
7 each charged separately for improperly used or nonused
8 equipment under subsection 2. However, the driver
9 shall not be charged for a violation committed by a
10 passenger who is fourteen years of age or older unless
11 the passenger is unable to properly fasten a seat belt
12 due to a temporary or permanent disability. The owner
13 of the motor vehicle may be charged for equipment
14 violations under subsection 1.>

15 2. Page 7, after line 7 by inserting:

16 <Sec. _____. Section 321.446, subsection 4, Code
17 2009, is amended by striking the subsection and
18 inserting in lieu thereof the following:

19 4. A person who violates this section is guilty
20 of a simple misdemeanor punishable as a scheduled
21 violation under section 805.8A, subsection 14,
22 paragraph "c". Violations shall be charged as follows:

23 a. An operator who transports a passenger under
24 fourteen years of age in violation of subsection 1 or 2
25 may be charged with a violation of this section.

26 b. If a passenger fourteen years of age or older is
27 unable to properly fasten a seatbelt due to a temporary
28 or permanent disability, an operator who transports
29 such a person in violation of subsection 2 may be
30 charged with a violation of this section. Otherwise, a
31 passenger fourteen years of age or older who violates
32 subsection 2 shall be charged in lieu of the operator.

33 c. If a child under fourteen years of age, or a
34 child fourteen years of age or older who is unable
35 to fasten a seatbelt due to a temporary or permanent
36 disability, is being transported in a taxicab in a
37 manner that is not in compliance with subsection 1 or
38 2, the parent, legal guardian, or other responsible
39 adult traveling with the child shall be served with a
40 citation for a violation of this section in lieu of
41 the taxicab operator. Otherwise, if a passenger being
42 transported in the taxicab is fourteen years of age or
43 older, the citation shall be served on the passenger in
44 lieu of the taxicab operator.>

45 3. By renumbering as necessary.

By TJEPKES of Webster
ABDUL-SAMAD of Polk

H-8566 FILED MARCH 24, 2010

SENATE FILE 2381

H-8567

- 1 Amend the amendment, H-8514, to Senate File 2381, as
2 passed by the Senate, as follows:
3 1. Page 1, by striking lines 43 through 46.
4 2. Page 2, by striking lines 5 through 8 and
5 inserting <a designated street.>
6 3. By renumbering as necessary.

By PALMER of Mahaska

H-8567 FILED MARCH 24, 2010

HOUSE FILE 2531

H-8569

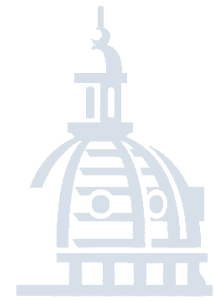
- 1 Amend the amendment, H-8551, to House File 2531 as
2 follows:
3 1. Page 1, after line 45 by inserting:
4 c. In any fiscal year, an area shall not receive
5 grants totaling more than twenty-five percent of the
6 moneys expended from the fund in that fiscal year. For
7 purposes of this paragraph, "area" means the same area
8 used to determine the median income under paragraph
9 "a".

By HORBACH of Tama

H-8569 FILED MARCH 24, 2010

Fiscal Note

Fiscal Services Division



HF 2533 – Nursing Workforce Initiatives (LSB 5253HZ) (formerly **HF 2445**)
Analyst: Ron Robinson (Phone: 515-281-6256) (ron.robinson@legis.state.ia.us)
Fiscal Note Version – As Amended by the House Appropriations Committee

Description

House File 2533 includes provisions relating to the nursing workforce.

The Bill directs the Iowa Department of Workforce Development (IWD) to establish a Nursing Workforce Data Clearinghouse for the purpose of collecting and maintaining data from all available and appropriate sources regarding Iowa's nursing workforce. The IWD is to have access to all data regarding Iowa's nursing workforce collected or maintained by any State department or agency to support the data clearinghouse and the information maintained in the Nursing Workforce Data Clearinghouse is to be available to any State department or agency. The Bill directs the IWD to consult with the Board of Nursing, the Department of Public Health (DPH), the Department of Education, and other appropriate entities in developing recommendations to determine options for additional data collection. The Bill provides rulemaking authority to the IWD, in consultation with the Board of Nursing, to administer the data clearinghouse and directs a Nursing Workforce Data Clearinghouse to be established and maintained in a manner consistent with the health care delivery infrastructure and Health Care Workforce Resources Strategic Plan developed by DPH.

The Bill requires the IWD to submit an annual report to the Governor and the General Assembly regarding the Nursing Workforce Data Clearinghouse and, following its establishment, the status of the nursing workforce in Iowa.

The Bill changes the name of the Nursing Workforce Shortage Initiative within the Health Care Workforce Support Initiative to the Iowa Needs Nurses Now Initiative and makes a similar change to the name of the account for the Initiative. The Bill also requires the College Student Aid Commission, currently in control of the Iowa Needs Nurses Now Initiative, to consult with the Iowa Board of Nursing, the Department of Education, and the Iowa Nurses Association in adopting rules and distributing funds.

The Bill also adds two accounts to the Health Care Workforce Shortage Fund:

- The Iowa Needs Nurses Now Infrastructure Account under the control of DPH to provide grants for clinical simulators, laboratory facilities, health information technology, and other infrastructure to improve the training of nurses and nurse educators in the State and to enhance the clinical experience for nurses.
- The Nurse Residency State Matching Grants Program Account under the control of DPH to provide matching State funding to sponsors of nurse residency programs in Iowa to establish, expand, or support nurse residency programs that meet standards adopted by rule of DPH. The Bill also specifies the parameters of the Grant Program.

The Bill adds a Nurse Educator Scholarship Program and the Nurse Educator Scholarship-in-Exchange-for-Service Program as two of the components of the Iowa Needs Nurses Now Initiative with the goal of addressing the waiting list of qualified applicants to Iowa's nursing schools by providing incentives for the training of additional nursing educators. The Bill specifies the parameters of the Scholarship Program.

The Bill also provides that implementation is subject to the extent of funding available.

Background

The Health Care Workforce Shortage Fund was created during the 2009 Legislative Session by [SF 389](#) (Health Care Omnibus II Act). The Fund was created in the State Treasury as a separate fund under the control of the DPH. The Fund is set to be repealed effective June 30, 2014. The Fund and the accounts within the Fund consist of any moneys appropriated from the General Fund of the State for the purposes of the Fund or the accounts within the Fund; moneys received from the federal government for the purposes of addressing the health care workforce shortage; contributions, grants, and other moneys from communities and health care employers; and moneys from any other public or private source available. Administrative costs are limited to 5.0% of the balance of each account, to a maximum of \$100,000 per account.

Fiscal Impact

The Bill does not specify a funding source and provides that the Bill will only be implemented to the extent funding is available.

The IWD is directed to develop a Nursing Workforce Data Clearinghouse. The estimated cost for doing this, should funds be available, is 1.0 FTE position and \$90,000 for FY 2011, and 1.0 FTE position and \$65,000 for each year thereafter.

The DPH would expend, should funds be available, an estimated 1.0 FTE position and \$134,000 for FY 2011, and 1.0 FTE position and \$103,000 for each year thereafter, to administer the Iowa Needs Nurses Now Infrastructure Account and the Nurse Residency State Matching Grants Program Account. Administrative costs are to be limited to 5.0% of the balance of each account, to a maximum of \$100,000 per account.

The College Student Aid Commission would be responsible for the Nurse Educator Scholarship Program and the Nurse Educator Scholarship-in-Exchange-for-Service Program at an estimated annual cost beginning with FY 2011, should funds be available, of 1.0 FTE position and \$100,000. Administrative costs are to be limited to 5.0% of the balance of each account, to a maximum of \$100,000 per account.

The table below summarizes the fiscal impact of the Bill:

Summary of Fiscal Impact (to the extent funding is available)				
Department	Fund	FY 2011	FY 2012	FTE
IWD	Not specified	\$ 90,000	\$ 65,000	1.00
DPH	Not specified	134,000	103,000	1.00
College Student Aid	Not specified	100,000	100,000	1.00
Total Estimated Expenditures		\$ 324,000	\$ 268,000	3.00

Sources

Departments of Workforce Development, Education, and Public Health
College Student Aid Commission

/s/ Holly M. Lyons

March 24, 2010

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
